

Response to Restriction Requirement:

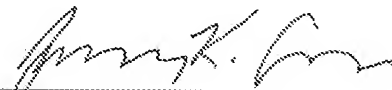
Applicant elects to continue prosecution of Claims 1-22 and 27 (Group I). Pursuant to 37 C.F.R. § 1.143, applicant requests reconsideration and withdrawal of the Restriction Requirement with respect to Claims 33-40 (Group V), for reasons set forth below. Applicant does not traverse the restriction requirement with respect to the claims of Groups II-IV, and these claims are withdrawn.

Section 803 of the Manual of Patent Examining Procedure (M.P.E.P.) sets out two criteria for proper requirement of restriction: (1) the inventions must be independent or distinct as claimed; *and* (2) there must be a *serious burden* on the Examiner if restriction is required. Applicant does not contest that the first criteria, namely that the inventions must be independent or distinct as claimed, is met.

Applicant respectfully submits, however, that the second criteria specified by M.P.E.P. §803 is not met with regard to Groups I and V. Because the inventions defined by various claims within Groups I and V include a number of common or substantially related elements, in order to properly examine the inventions defined by claims in Group I, it will likely be necessary for the Examiner to also search art relevant to claims in Group V as well. In particular, while Claim 1 relates to a lancing device and Claim 33 relates to a cassette for removable insertion within a lancing device, the remainder of the limitations recited in the two claims is substantially identical.

As such, there will be no significant additional burden imposed by examination of the claims of Groups I and V together, and applicant requests reconsideration with respect to Groups I and V.

Respectfully submitted,



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